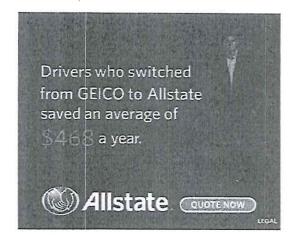
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Police: Española Teen With 'Hit List' Arrested, Released

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SANTA FE — A 15-year-old Española Valley High School student was found with a "hit list" of fellow students "who bugged him" and books of his own drawings that depicted gory scenes of death, according to police.

The teenager was arrested Thursday by Española police and charged with felony crimes of attempted murder and aggravated assault. But the District Attorney's Office dropped the charges, saying police reports did not substantiate them, and he was released.

Both police and the DA say they believe the boy needs to be treated for mental health issues, but neither knows if that is happening or where he is now.

Police say he kept a list of 13 students, which he titled a "List for Hell."

"The top of the list said 'Rest in peace,' " said Lt. Christian Lopez. "At the bottom, he wrote, 'In hell.' "

Lopez believes the boy, who moved to the area from Georgia about two years ago, had been picked on or bullied at school and that he's suffering from mental health problems. Police confiscated pictures that he drew, including some in which people are being decapitated or set on fire. One rendering was of a smiling boy standing next to a victim who has flames protruding from his body.

Red crayon was used to illustrate pools of blood in the drawings.

The day of his arrest, his name came up during a threatening phone call made to the



school that warned of a "sophomore with a gun" who was on school grounds, according to Lopez. Although he was not in class that day and no immediate threat was substantiated, the phone call caused a temporary lockdown at the high school.

The boy was arrested later that day at a counseling center in Española.

But the Santa Fe District Attorney's Office — after looking over reports from Española police and state Juvenile, Probation and Parole officers — chose not to charge him.

District Attorney Angela "Spence" Pacheco said her office could not uphold the police-recommended charges of attempted murder or aggravated assault because "those crimes were not committed."

"You can't charge someone with something that they may do in the future," Pacheco said. "He did not commit those crimes."

Pacheco said that "strictly from a legal perspective, there was nothing we could charge him with." The DA also said that it would be in "the best interest" for the child to receive mental help.

But Lopez said he felt the evidence supported the charges. "He threatened students," the lieutenant said. "Short of coming out and saying, 'I'm gonna kill you,' he put it down on paper."

"We felt there was more than enough intent," Lopez said. "If something happens, I did my job. And I'd do it again."

'Scared to death'

Meanwhile, parents at Española Valley are scared.

The father of a girl whose name was at the top of the hit list said Tuesday that the boy once asked his daughter out but that she rejected his overture. Rodney Benson said his daughter is "scared to death" and that it's not helping matters that the school has not provided families any information as to what's going on.

"I don't think I'm gonna let her go to school," Benson said, "until I find out what's up with this kid."

The police investigation began Sept. 7 — last Tuesday — when a resource officer alerted officers that a student had compiled on a piece of notebook paper a hit list of peers, according to the probable cause statement.

Police interviewed the boy and his mother. During their conversation, the boy said the names were of people "who bugged him."

Not all of the students were identified by name. A few were given derogatory monikers, such as "Pink Whore," "Fat Ass" and "Mexican Hitler."

Some of the pictures were of tombstones with students' names on them.

The police report indicates that "further investigation found that some of the students would pick on ... (the boy) or were bullying him and now he was targeting them through the list."

The boy told police that the pictures "were of a movie he was going to make."

The report says that when he was asked if "he thought he could hurt someone, or any of the persons on the list," he said he didn't know.

When asked if he was going to injure himself, he at first told police, " 'He didn't think so,' but sometimes he didn't know what he was thinking in his head." Asked again later, he said, "Sometimes I think that's the only way out."

Days before his arrest, he allegedly put his hands around his mother's neck after she told him to get ready for school, the woman told police. The mother said that her son had "violent tendencies."

After the police interview, the boy was sent by ambulance to Christus-St. Vincent Regional Medical Center in Santa Fe for a psychiatric evaluation "because of his possible homicidal and suicidal tendencies." However, Lopez said he doesn't think the boy received any treatment while there. He was released the next day.

The boy's girlfriend told authorities he called from the hospital and asked for a ride home, which she didn't provide. The girl told police that he seemed "distant" during their conversation. It was his mother who ended up taking her son home that day, the report states.

School threat

The day after his brief stay at the hospital — last Thursday — the high school received a threat of a "sophomore with a gun" on school grounds, Lopez said. His name "came up" after the threatening call, but Lopez said the teen was not on campus at the time.

The school was locked down for a while as police investigated, but classes resumed later in the day. School officials last week would not comment on what led to the shutdown. Calls to Española Public Schools Superintendent Jeanette Archuleta and Assistant Superintendent Fidel Trujillo were not returned Tuesday.

The boy was booked into the Santa Fe County youth jail on Thursday, but was shortly released from detention by Juvenile, Probation and Parole officers, according to jail director Annabelle Romero. District Attorney Pacheco said that was because her office chose to drop the charges against him.

Pacheco said her office came to a decision after meeting with a physician. There was an agreement that the boy's "pressing mental health issue" outweighed him being charged and that the physician would have the boy temporarily committed for mental health services. "You can't have criminal charges pending if you want to get care in a mental facility," she said.

Pacheco said detainees are typically transported from jail to a mental health facility. She doesn't know whether law enforcement did that in this case, and after the charges were dropped she did not know whether the physician followed through. Lopez didn't know Tuesday where the boy was. The Journal was unable to reach a CYFD spokeswoman for comment.

Lopez said he hopes this situation is being taken seriously.

"It's a scary issue to deal with," he said. "Because there's a history of this kind of thing happening. There's going to be people who say, 'This kind of thing doesn't happen in Española,' but I'm sure the people at Columbine (High School in Colorado) thought the same thing."

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